



ASSISTANT
DIRECTOR

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, DC 20226

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OPEN LETTER TO ALL KENTUCKY FEDERAL FIREARMS LICENSEES

KENTUCKY CONCEALED WEAPONS PERMITS
ARE NO LONGER A VALID ALTERNATIVE TO NICS CHECKS

The purpose of this letter is to advise you of your responsibilities under the permanent provisions of the Brady Law, 18 U.S.C. § 922(t).

The permanent provisions of the Brady Law took effect on November 30, 1998. The Brady Law generally requires Federal firearms licensees (FFLs) to initiate a National Instant Criminal Background Check System (NICS) check before transferring a firearm to an unlicensed individual. However, the Brady Law contains a few exceptions to the NICS check requirement, including an exception for holders of certain State permits to possess, carry, or acquire firearms.

In a 1998 open letter, ATF advised you that concealed weapons permits issued in your State after July 15, 1998 and prior to November 30, 1998, would be "grandfathered" as Brady alternatives for the duration of the permit, not to exceed five years from the date of issuance. The letter also stated that permits issued on or after November 30, 1998, would **NOT** qualify as alternatives to the NICS check.

Kentucky State law provides that concealed weapon permits are valid for five years. **Therefore, as of November 30, 2003, all "grandfathered" permits will have expired and Kentucky FFLs may no longer accept a Kentucky concealed weapons permit as an alternative to a NICS check.** If you have any questions, please contact your local ATF office.

John P. Malone
Assistant Director
(Firearms, Explosives and Arson)